

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CORNELL HOLDEN, MIGUEL MEJIA,
MALCOM RUSSELL, and MARCOS POLONIA
on behalf of themselves and all others similarly
situated,

Plaintiff,

-against-

THE PORT AUTHORITY OF NEW YORK AND
NEW JERSEY; THE PORT AUTHORITY
POLICE DEPARTMENT; and MICHAEL
OPROMALLA, SHAUN KEHOE, JOHN TONE,
JORDAN ESPOSITO, MICHAEL DEMARTINO,
RICHARD AYLMER, PAUL MILLER, JOHN
FITZPATRICK, MARK MONTERO, VIJAY
SEETARAM, MELVIN CRUZ, MARTIN
JAYCARD, PAUL O'DELL and OFFICERS
JOHN DOE 1-93, sued in their individual capacities
and official capacities as officers of the Port
Authority Police Department,

Defendants.

**USDC SDNY
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DATE FILED: 4-10-19**

1:17-CV-02192-JGK-RWL

**STIPULATION TO WITHDRAW PLAINTIFFS MARCOS POLONIA AND MALCOM
RUSSELL**

Plaintiffs Cornell Holden, Miguel Mejia, Malcom Russell, and Marcos Polonia, on behalf of themselves and others similarly situated ("Plaintiffs"), by and through their attorneys, Winston & Strawn LLP and the Legal Aid Society and Defendants Port Authority of New York and New Jersey, the Port Authority Police Department, Michael Opromalla, Shaun Kehoe, John Tone, Jordan Esposito, Michael Demartino, Richard Aylmer, Paul Miller, John Fitzpatrick, Mark Montero, Vijay Seetaram, Melvin Cruz, Martin Jaycard, Paul O'Dell, and Officers John Doe 1-93 ("Defendants"), hereby stipulate and agree as follows with respect to Case No. 1:17-CV-02192:

- 1) Marcos Polonia hereby withdraws from this matter as a named plaintiff.
- 2) Malcom Russell hereby withdraws from this matter as a named plaintiff.
- 3) Nothing in this stipulation addresses either Mr. Polonia's or Mr. Russell's ability to participate in this matter as a class member upon class certification.

- 4) Mark Montero is hereby dismissed as a named defendant without prejudice.
- 5) Vijay Seetaram is hereby dismissed as a named defendant without prejudice.
- 6) Martin Jaycard is hereby dismissed as a named defendant without prejudice.
- 7) Melvin Cruz is hereby dismissed as a named defendant without prejudice.
- 8) Nothing in this stipulation addresses whether Mr. Montero, Mr. Seetaram, Mr. Jaycard, or Mr. Cruz may be added as a named defendant upon class certification.

New York, NY
Dated: April 10, 2019

Respectfully submitted,

By: /s/ Thomas Patrick Lane
Thomas Patrick Lane, TL8983
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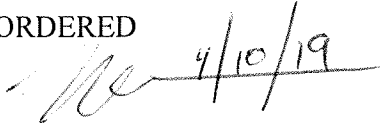
Counsel for Plaintiffs

Respectfully submitted,

By: /s/ Kathleen Gill Miller
Kathleen Gill Miller, Esq.
The Port Authority Law Department
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Counsel for Defendants

SO ORDERED

A handwritten signature, likely of Robert W. Lehrburger, is written over the date 4/10/19. The signature is in cursive and the date is written in a simple, legible font.

Honorable Robert W. Lehrburger, U.S.M.J.